

4.7.4.3.5.3 Application and Review Process/Review of the Permit Application/ Technical Review/Application for Renewal of Expired Permit /Other Permits/ De minimis Discharge Approvals

Applicability:

This topic provides information about a request for *de minimis* discharge exemption at the time a permit is expiring and the permit holder has been asked to renew the permit.

Content:

Occasionally, a permitted facility will request a *de minimis* exemption at the time the permit is due for renewal. The request needs to be handled and resolved. It cannot be rejected simply because the facility has had a permit.

Discharging facilities are only allowed a *de minimis* exemption by the department in general permits, storm water permits or by the Clean Water Commission.

No-discharge facilities can be given an exemption by the department on a case-by-case basis. Please see module [2.3.6.4](#) for more information.

Once a *de minimis* discharge exemption is granted, it remains in effect until the facility is required to obtain an operating permit or a no-discharge permit or there is a change in the statewide general permit template in which it is specified.

Exemptions are generally granted to facilities of a relative small size or with a limited amount of materials exposed to storm water. An exemption put into a general permit means that the type of facility described in the exemption does not need a NPDES permit, does not need to apply for any sort of waiver and does not need to re-apply at the time of general permit expiration. If the facility is adhering to the *de minimis* provisions of a general permit, the department would not necessarily even be aware of its existence. This is why it is important that the exemptions only be granted to facilities that have very little potential to cause water quality impacts.

Legal References:

Code of State Regulations:

[10 CSR 20-6.015\(1\)\(B\)4](#)

No-Discharge Permits - Definitions

[10 CSR 20-6.015\(3\)\(A\)](#)

No-Discharge Permits - Exemptions - *De Minimus* Exemptions

[10 CSR 20-6.200\(1\)\(B\)3](#)

Storm Water Regulations - Storm Water Permits-General - Exemptions and Overriding Department Authority

[10 CSR 20-6.200\(1\)\(C\)5](#)

Storm Water Regulations - Storm Water Permits-General - Definitions

Other Links:

[2.3.6.4 No-Discharge Permit Exemptions](#)

[3.3.1.3 Exemptions \(Statewide GP Template\)](#)

[4.7.4.1.5.5 De minimis Discharge Approvals \(new\)](#)

[4.7.4.2.5.5 De minimis Discharge Approvals \(mods\)](#)

Modification Date: 08/17/05 JFP 8/31/05